



States of
Guernsey

MAPPA

Multi-Agency Public Protection Arrangements

Annual Report 2017

(including Notification Requirements, MAPPA and relevant Civil Orders)

MAPP Unit contact details

Gemma Lockwood
MAPP Unit Manager/Senior Probation Officer
Police Station MAPP Unit Direct Line: 01481 719421
Police Station: 01481 725111
Probation Service: 01481 724337
Mobile: 07781 110475
Email: gemma.lockwood@gov.gg

PC117 Robert Dover
MAPP Unit Police Officer
Police Station MAPP Unit Direct Line: 01481 719421
Police Station: 01481 725111
Mobile: 07839 740014
Email: Robert.Dover@guernsey.pnn.police.uk

Louise Hardy
MAPP Unit Support Officer
Police Station MAPP Unit Direct Line: 01481 719421
Police Station: 01481 725111
Probation Service: 01481 724337
Email: Louise.Hardy@gov.gg

This Report is provided to the MAPPA Strategic Management Board by Gemma Lockwood Mapp Unit Manager.

Approved by Committee for Home Affairs, 25th June 2018.

Foreword by Responsible Authority

This is the third annual report of the Multi Agency Public Protection Unit, which is a partnership between the Probation and Police Service designated to implement relevant sections of the Sex Offender Law including notification requirements (the 'sex offender register') and Multi Agency Public Protection processes.

Section 34 of the Sex Offenders Law, implemented on 1st July 2015, put in place a duty to establish arrangements for monitoring and managing risk posed by certain offenders.

The Responsible Authority charged with making these arrangements are designated in the Law as the Chief Officer of Police, the Chief Probation Officer and the Governor of the Prison (Section 34(1)).

Since April 2015 when the new unit was established, the statutory provisions of the new Law have been implemented. All known convicted sex offenders who came under the transitional provisions were registered at the beginning of July 2015 when the law was commenced, and systems have been put in place for safe, effective registering of all those subsequently convicted by local courts or travelling to the Bailiwick from other jurisdictions.

The transitional arrangements designated a minimum two year period of notification. Therefore July 2017 was the first time that some Notifiers became eligible to apply to have their case reviewed by the Chief Officer of Police to determine whether notification requirements could be safely removed. Developing the process of de-registration to ensure that all relevant cases are reviewed in line with legislation has been a major work-stream in 2017.

The effective management of risk is an arduous and skilled task and as the Responsible Authority we commend the work of the Probation and Police staff undertaking this work. We also thank the range of other statutory and voluntary agencies who commit their time and expertise to Multi Agency Public Protection.

The Strategic Management Group, comprising senior managers from all agencies involved, meet yearly to receive reports on the implementation of the Law, and this annual report gives valuable statistics and information on the work of the Unit.

Anna Guilbert, Chief Probation Officer
Patrick Rice, Head of Law Enforcement
David Matthews, Prison Governor

Responsible Authority.
June 2018.

Contents

| | | |
|-----------|---|-----------|
| 1 | Introduction and Background | 1 |
| 2 | Notification Requirements - Comment, Statistics and Analysis | 2 |
| 2.3 | Notifier Caseload (Guernsey Resident Notifiers) | 2 |
| 2.4 | De-Registrations | 2 |
| 2.5 | Convictions for Offences of Breaching Notification Requirements | 3 |
| 2.6 | Travelling Notifiers | 3 |
| 3 | Multi-Agency Public Protection Arrangements (MAPPA) – Comment, Statistics and Analysis | 6 |
| 3.4 | MAPPA Caseload | 6 |
| 3.5 | MAPPA case management | 7 |
| 3.6 | Risk profile | 10 |
| 4 | Civil Orders – Comment, Statistics, and Analysis | 11 |
| 5 | Further Offending..... | 12 |
| 6. | Learning Outcomes..... | 12 |

1 Introduction and Background

- 1.1 The MAPP (Multi-Agency Public Protection) Unit is a partnership between the Guernsey Probation Service and Guernsey Police Service. It was set up in April 2015 with responsibility to implement where relevant, and thereafter co-ordinate, three aspects of The Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2013 (hereafter referred to as the Law). The three aspects are:
- a. Notification Requirements for those who present a risk of sexual harm (sex offender register)
 - b. Civil Orders for those who present a risk of sexual harm, and
 - c. MAPPA (Multi-Agency Public Protection Arrangements) to monitor and manage those presenting a risk of sexual harm or a serious risk of physical harm.
- 1.2 The Unit is comprised of a Senior Probation Officer who manages the Unit, a Police Officer, and an Administrator (currently a vacant position), and is co-located at the Probation Service Offices and the Public Protection Unit at the Police Station.
- 1.3 This report reflects the work of the MAPP Unit during 2017.

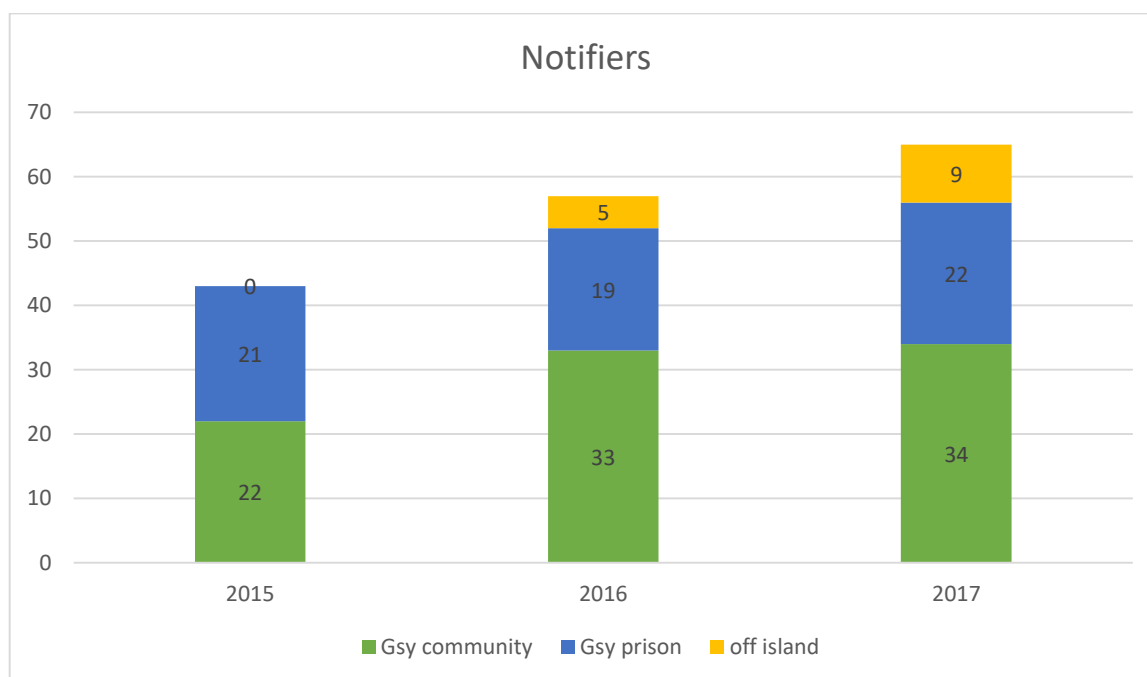
2 Notification Requirements - Comment, Statistics and Analysis

2.1 Parts 1 - 3, and section 50, of the Law lays down provision for Notification Requirements (sex offender registration). The day to day management of the Notification Requirements falls to the MAPP Unit Police Officer. Guidance to aid professionals with the Notification process has been available since 2015, and guidance for de-registration was developed during 2017.

2.2 All persons subject to Notification Requirements are additionally managed under the auspices of MAPPA (see section 3).

2.3 Notifier Caseload (Guernsey Resident Notifiers)

2.3.1 At the end of 2017 there were 56 persons resident in Guernsey subject to Notification Requirements (34 within the community, and 22 within the prison). There are now 9 persons subject to Guernsey imposed Notification Requirements living off-island, who either because of their potential to return, or minimum periods under the legislation, are not suitable/eligible to be de-registered.



2.3.2 Overall numbers have continued to rise, though at a slower rate than previous years - this is likely a consequence of de-registration being possible for the first time in 2017 (see below). However, it is worth noting that conviction rates for sexual crime are increasing generally across the UK (e.g. see Office for National Statistics).

2.4 De-Registrations

2.4.1 2017 was the first year whereby some Notifier's were eligible to have their case reviewed by the Chief of Police to determine whether Notification Requirements could be removed. The development of this process and guidance to assist these reviews was therefore, as expected, a priority and major work stream for 2017.

2.4.2 A total of 7 people were de-registered from Notification Requirements during 2017. 6 as a consequence of The Chief of Police being satisfied, on the basis of information received by him, that those individuals no longer presented a risk of sexual harm such that ongoing Notification Requirements were required. A further Notifier died during 2017.

2.5 Convictions for Offences of Breaching Notification Requirements

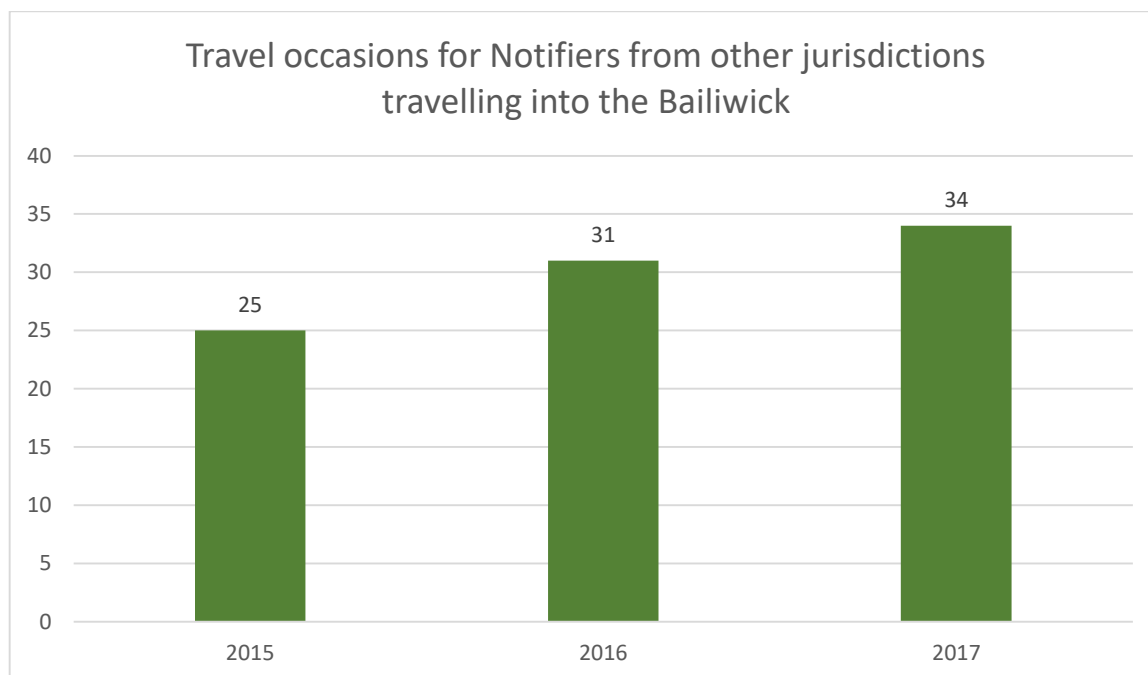
| | No. of convictions |
|------|--------------------|
| 2015 | 2 |
| 2016 | 1 |
| 2017 | 2 |

2.5.1 Numbers of convictions for breach of Notification Requirements have remained similar to previous years. Both of the 2017 convictions related to Notifiers failing to register new addresses as required. One resulted in immediate imprisonment. The other resulted in a Suspended Sentence Supervision Order containing additional conditions (additional to Notification Requirements) in order to manage associated risks.

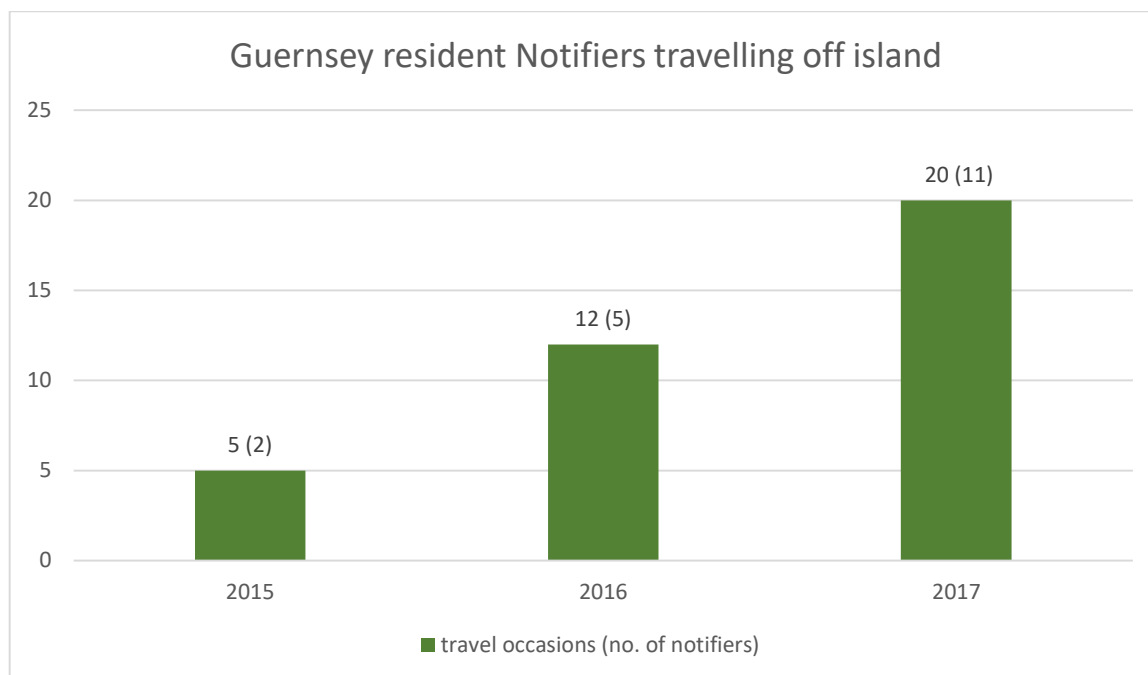
2.5.2 Home visits alongside other communications with the Police Officer responsible for managing those subject to Notification Requirements, coupled with good inter-agency liaison between all relevant agencies under the auspices of MAPPA mean that any alleged non-compliance with Notification Requirements can be investigated swiftly.

2.6 Travelling Notifiers

2.6.1 There are two forms of travel being recorded here. Firstly, persons subject to Notification Requirements in a prescribed jurisdiction (England and Wales, Scotland, Northern Ireland, Jersey and the Isle of Man) who travel to Guernsey have to notify on arrival in Guernsey and will be managed under Guernsey Law for the period of their stay. Secondly, there is a collation of statistics on Guernsey resident Notifiers travelling out of the Island for short periods.



- 2.6.3 34 persons subject to Notification requirements elsewhere travelled to Guernsey during 2017. These 34 'travel occasions' equate to 30 people, 4 people having travelled to Guernsey on a number of occasions during 2017. As in previous years, there does not appear to be a pattern linking these Notifiers (i.e. they are not coming from the same area, visiting the same people, or staying at the same address in Guernsey) and numbers of visiting Notifiers do seem to be on a par with previous years statistics (please note that 2015 data was only collected from July and therefore does not represent the whole year).
- 2.6.4 Liaison occurs between Guernsey Police and the prescribed jurisdiction in advance of a Notifier's travel so that Notifiers are fully briefed as to the expectations placed on them within the Bailiwick, and plans are made for their arrival and management on Island. Please note that the presence of Notification Requirements alone cannot veto someone's travel, rather they allow for tracking and risk management within relevant jurisdictions (including Guernsey).



- 2.6.4 Overall, 11 Guernsey resident Notifier's travelled out of Guernsey during 2017, a total of 20 trips between them. This does indicate an increase on last year, but evaluation indicates that it does not provide any additional cause for concern from a risk management perspective.
- 2.6.5 Advance warning is provided to the receiving jurisdiction in case any risk management strategies need to be employed in that jurisdiction for the period of their stay.

3 Multi-Agency Public Protection Arrangements (MAPPA) – Comment, Statistics and Analysis

- 3.1 Part VII of The Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2013 (implementation date 1/7/15) provides the legal framework for ‘arrangements for monitoring and managing risks posed by certain offenders’. These arrangements are known locally as MAPPA. They are designed to protect the public, including victims of crime, from serious harm by sexual and violent offenders. The new Law provides a legal framework for MAPPA, and puts a duty on the Probation Service, Police Service and Prison (the ‘Responsible Authority’) to make the arrangements. It places a legal obligation on States Departments to work together, as well as allow for the sharing of information with States and non-States bodies for the purpose of risk management.
- 3.2 The arrangements are co-ordinated by the MAPP Unit. Full MAPPA guidance and Information Sharing Guidelines for professionals are published on the States Intranet.
- 3.3 Risk of serious harm is defined under the auspices of MAPPA as “harmful behaviour of a violent or sexual nature, which is life threatening and/or traumatic, and from which recovery, whether physical or psychological, may reasonably be expected to be difficult or impossible”.

3.4 MAPPA Caseload

- 3.4.1 There are three categories of MAPPA subject:

Category 1: Notifiers under The Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2013.

Category 2: Persons sentenced to prison or youth detention for any sexual offence, and/or persons sentenced to 12 months or over (prison or youth detention) for a violent offence. There are also provisions here for person subject to orders under the Mental Health law.

Category 3: Other dangerous persons – i.e. persons who the Responsible Authority considers may cause serious harm to the public **AND** who requires multi-agency management.

- 3.4.2 As of the end of 2017 there were 99 people residing in Guernsey registered under MAPPA, comparing by category and location to previous years as follows:

| | Category 1 | Category 2 | Category 3 | Total | Total in prison | Total in community |
|------|------------|------------|------------|-------|-----------------|--------------------|
| 2015 | 43 | 33 | 7 | 83 | 35 | 48 |
| 2016 | 50 | 28 | 13 | 91 | 27 | 64 |
| 2017 | 61 | 24 | 14 | 99 | 37 | 62 |

- 3.4.4 For clarity, if an individual meets criteria for more than one category, they are recorded under the criteria prompting their initial registration (i.e. convicted sex offenders are predominantly recorded under category 1 regardless of whether they also fit category 2).
- 3.4.5 The above accounts for 22 new individuals registered under the auspices of MAPPA, and 13 de-registrations (please note the de-registrations will be a consequence of both reduced risk of serious harm, and/or a subject having permanently left the island).
- 3.4.6 Numbers have risen, however it is too early to draw any conclusions regarding why this may be – i.e. increase in existence of individuals presenting a risk versus a better capturing/management of individuals presenting that risk (salient given that the new legislation and processes have provided a more robust way to refer in and manage persons presenting a risk).

3.5 MAPPA case management

Lead Agency

- 3.5.1 Whilst the MAPP Unit is responsible for the co-ordination of MAPPA, it is not responsible for the co-ordination of individual cases. That role falls to a 'lead agency' identified by the Unit, who will be a member of one of the responsible authorities, i.e. Police, Probation (delegated to Youth Justice if appropriate) or Prison. At the end of 2017, of the 99 total MAPPA cases, lead agency was identified as follows:

| | Police | Probation | Youth Justice | Prison |
|------|--------|-----------|---------------|--------|
| 2015 | 4 | 76 | 3 | 0 |
| 2016 | 20 | 68 | 3 | 0 |
| 2017 | 22 | 77 | 0 | 0 |

- 3.5.2 Initial intention is that the prison would be lead agent in some cases. However, as a consequence of the Probation Service responsibility for offender management within the Guernsey Prison Service, it has made sense for the lead agency responsibility to remain with the Probation Service during an individual's incarceration, and either remain so on release, or be transferred to the Police at some point subsequently. Our working practices are different to other jurisdictions in that the Guernsey Probation Service maintains a lead in offender management pre-, during and post-sentence.
- 3.5.3 What these statistics won't of course illustrate is the detail of work undertaken, or the complexity of the multi-agency involvement with each case, something that, unsurprisingly, varies from MAPPA subject to MAPPA subject. Such is dependent on the level of risk presented, imminence of that risk, personal characteristics/dynamics and the number of agencies the subject is involved with.

Management level

3.5.4 The management of all MAPPA cases relies on good communication between relevant agencies and shared input into risk assessment and management planning. There are three management levels defined as follows:

Level 1 - Single agency management. Lead agency is responsible for co-ordinating the risk assessment and risk management plan on the MAPPA subject. Communication between agencies is paramount to aid this process, but this is done without the need for a full MAPPA meeting.

Level 2 – Multi-agency meeting(s). - MAPPA registration. Lead agency is responsible for co-ordinating the risk assessment and risk management plan on the MAPPA subject. Communication between agencies remains key to this, but in addition it is felt that the complexity of the case requires MAPPA meeting(s).

Level 3 – Senior representative multi-agency meeting(s) - MAPPA registration. Lead agency is responsible for co-ordinating the risk assessment and risk management plan on the MAPPA subject. Communication between agencies remains key to this, and it is felt that the complexity of the case requires MAPPA meeting(s). In addition however the case requires exceptional resources from agencies only sanctionable at senior management level. Level 3 cases are for ‘the critical few’.

3.5.5 The management level can be subject to change over time, something determined at formal reviews (in the case of level 1’s) or MAPPA meetings (in the case of level 2’s and 3’s). Please note that the level necessary to manage a MAPPA subject does not solely correlate to the risk they present, it refers to the complexity of the case and risk management plan. For example, a subject could present a high risk of harm, but due to a relatively stable risk management plan and good communication between relevant agencies, meetings are not necessary to maintain the plan and contain the risk. Conversely, a subject could present a medium risk, but have complex needs with an unstable presentation/lifestyle, precipitating the need for regular meetings to share information, update assessments and modify the risk management plan in the most time efficient way.

| | Level 1 | Level 2 | Level 3 |
|------|---------|---------|---------|
| 2015 | 67 | 14 | 2 |
| 2016 | 78 | 11 | 1 |
| 2017 | 87 | 11 | 1 |

3.5.6 Relevant serving prisoners will usually be identified as MAPPA Level 1 cases, and will be reviewed to determine whether their level needs to be increased for risk management purposes prior to release into the community. Please note that the above table indicates 12 subjects remained managed via a meeting as of 31st December 2018. This is not indicative of the amount of formal meetings have occurred over the year, whereby subjects were reduced to level 1 for example at the meeting:

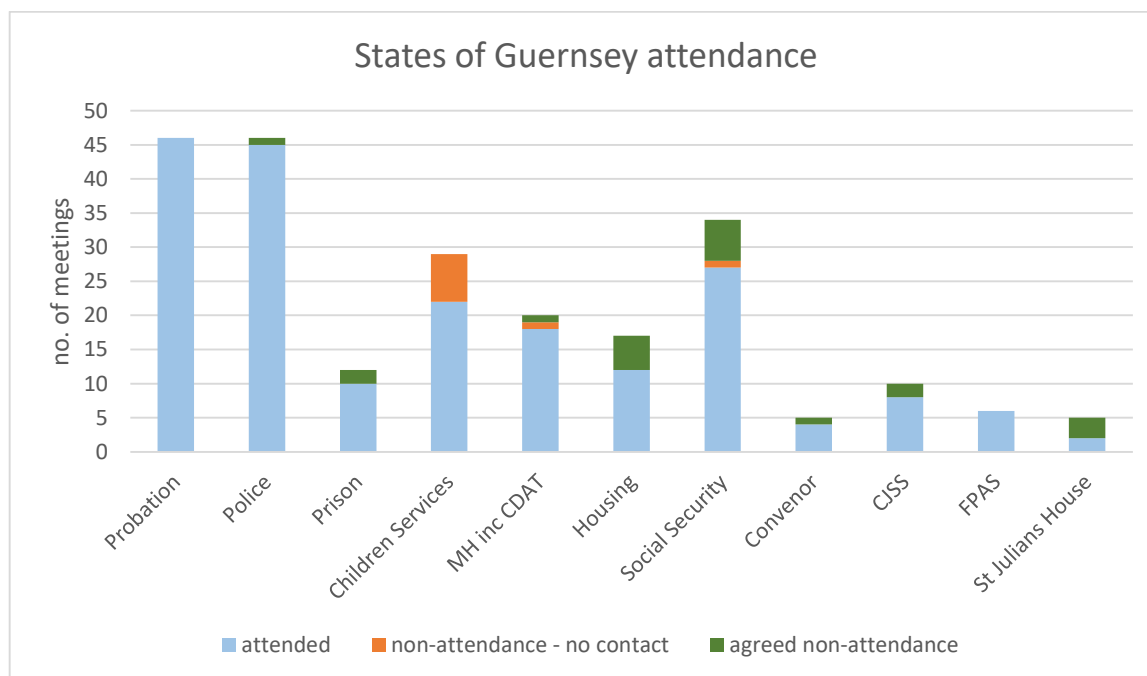
MAPPA formal reviews and meetings

3.5.8 When managed at level 1, cases are reviewed regularly (largely at minimum 6 to 12 months depending on the status of the MAPPA subject – e.g. review of a serving prisoner with a significant time in prison remaining before eligibility for release will occur less frequently if the risk is only presented within the community). Collated data is unavailable to summarise how many level 1 reviews have been completed during 2017.

3.5.9 A total of 46 full MAPPA meetings (either at level 2 or 3) took place during 2017, comparing to previous years as follows (please note 2015 data only records part of the year given that legislation and data collection only started part-way through 2015):

| | Level 2 or 3 meetings |
|------|-----------------------|
| 2015 | 17 |
| 2016 | 54 |
| 2017 | 46 |

3.5.10 Collation is now occurring regarding the regular States of Guernsey attendees at MAPPA (i.e. those obligated by the law to exchange information for the purpose of risk assessment and risk management).



3.5.11 As this is the first year that data regarding individual agency attendance has been published, there is no comparison to previous years as yet.

3.5.12 Some of these meetings will have involved the same case, but please also note that a proportion of these meetings will have subsequently re-defined the case as only requiring level 1 (non-meeting)

management because of stable risk management. This is why the number of meetings outweighs the number of level 2 and 3 MAPPA's identified within the snapshot at the end of 2017 (paragraph 3.5.5 and 3.5.6 above).

3.6 Risk profile

3.6.1 MAPPA is designed to manage risk of serious harm, which is defined as “harm which is life threatening and/or traumatic, and from which recovery, whether physical or psychological, may reasonably be expected to be difficult or impossible”.

3.6.2 Persons subject to MAPPA are allocated a risk level within this definition:

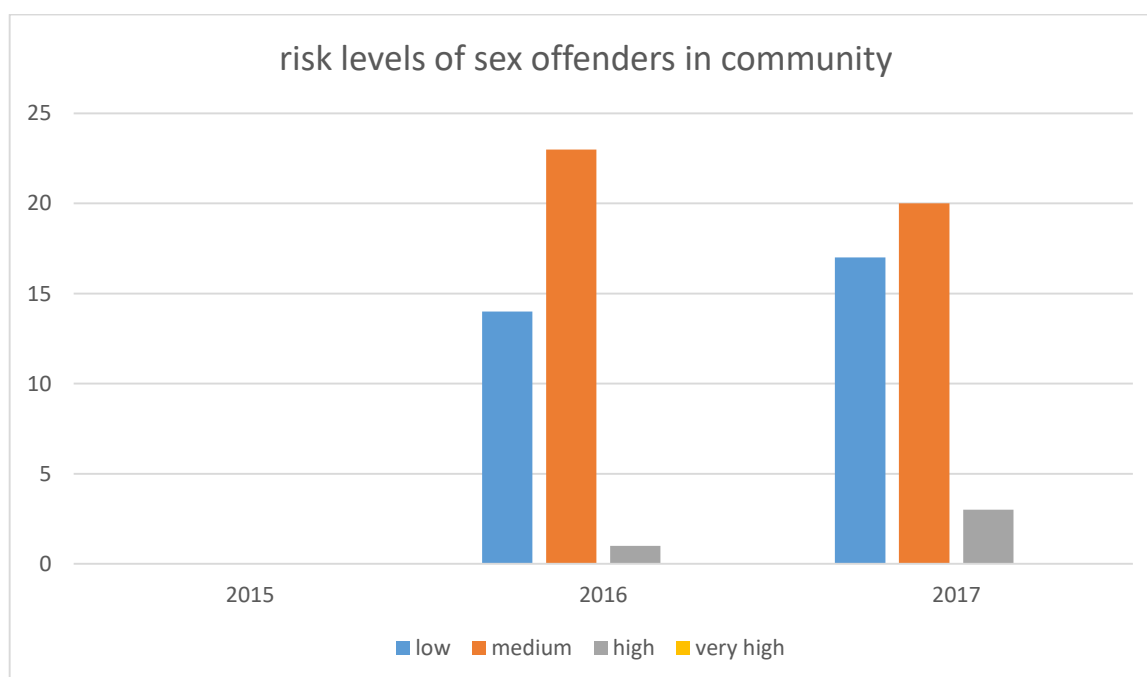
Low: Current evidence does not indicate a likelihood of causing serious harm

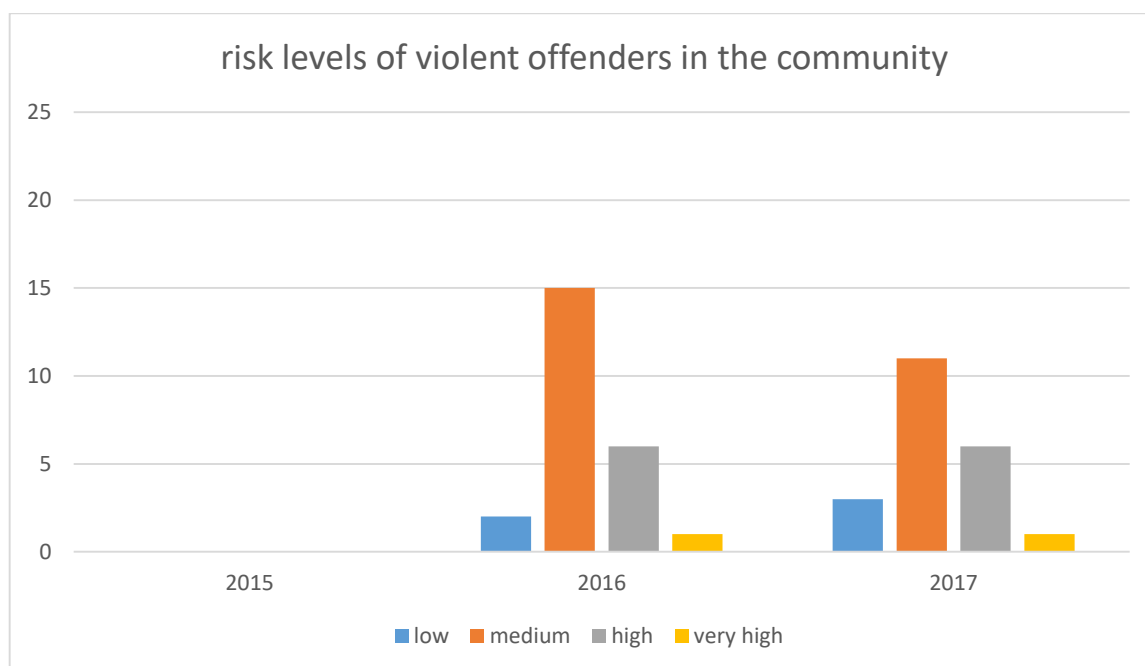
Medium: There are identifiable indicators of serious harm. The offender has the potential to cause such harm, but is unlikely to do so unless there is a change in circumstances

High: There are identifiable indicators of risk of serious harm. The potential event could happen at any time and the impact would be serious

Very high: There is an imminent risk of serious harm. The potential event could happen at any time and the impact would be serious

3.6.3 Risk levels are reviewed regularly as described in section 3.5.8 – 3.5.12 above, and will be subject to change over time, but as a snapshot, the risk profile breaks down as follows (please note this data is provided for community cases only):





3.6.4 Whilst 2016 data is provided by way of comparison, such data was not collated prior to 2016 and as such comparison data is not significant enough to draw any conclusions regarding patterns or variations in risk profile.

4 Civil Orders – Comment, Statistics, and Analysis

- 4.1 The Law provides the ability for the Court to impose Civil Orders for the prevention from sexual harm, for cases where a sexual risk is presented and conditions are necessary to protect (for example if a Prison sentence and subsequent Licence imposed at sentence is not long enough to manage sexual risks presented; or risk assessment indicates that conditions are still required to manage someone's sexual risk once their Licence has finished). Please note therefore that a lack of a SOPO does not mean that a sexual offender is not subject to conditions, just not conditions under the auspices of a SOPO (the scope of the MAPP Unit is to collate data relating to Civil Orders such as SOPOs only – the Probation Service collates data relating to persons subject to other Licences and Court Orders imposed by way of sentence).
- 4.2 2017 saw the Courts impose 6 Sex Offender Prevention Orders (SOPOs). Four were imposed at the point of sentence, and two were imposed following application independent from sentencing (successful applications for full orders - both having appeared on previous years statistics as 'Interim Orders' in place awaiting full hearings). This means that as of the end of December 2017, there was a total of 9 persons subject to SOPOs under Guernsey legislation.

| | Total SOPOs (or Interim SOPOs) being managed under Guernsey legislation |
|------|---|
| 2015 | 1 |
| 2016 | 5 |
| 2017 | 9 |

- 4.3 All of these cases are managed under MAPPA and form a part of the statistics referred to in section 3 above. All of the current caseload of Civil Orders are managed by the Probation Service.

5 Further Offending

- 5.1 MAPPA is designed to manage serious risks presented by certain individuals, and will endeavour to do so as best as reasonably possible. However, risk cannot be eliminated and there will be times when a person managed under MAPPA will commit a further offence.
- 5.2 A Serious Case Review will be required by the MAPPA Strategic Management Board when a new offence is one of murder, attempted murder, manslaughter, rape or attempted rape, and can be required in other cases at the discretion of the Strategic Management Board. Alternatively learning outcome reviews can be undertaken at the discretion of the Strategic Management Board as a means of good practice to aid future risk management.
- 5.3 0 Serious case reviews, automatic or discretionary were necessary during 2017.
- 5.4 1 discretionary learning outcome review was completed during 2017 relating to a re-conviction of a person managed under the auspices of MAPPA:

6. Learning Outcomes

- 6.1 The outcome of the review noted in paragraph 5.4 indicates good information sharing between agencies and quick responses when new information is uncovered. It also highlighted accurate risk assessment and attempts to monitor risk within the bounds of resources available. What it did evidence was the extent to which officers can monitor an individual's computer usage and probation and police are jointly looking at the use of technology to assist in this regard.